

**U.S. Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
BLM Antelope Gravel Pit**

April 2016

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Worland Field Office



Categorical Exclusion

BLM Antelope Gravel Pit

April 2016

This page intentionally
left blank

Table of Contents

1. Categorical Exclusion	1
1.1. Background	1
1.2. Land Use Plan Conformance	1
1.3. Compliance with NEPA:	2
1.4. Approval and Contact Information	2
2. Categorical Exclusion Rationale	3

This page intentionally
left blank

Chapter 1. Categorical Exclusion

BLM Antelope Gravel Pit

This page intentionally
left blank

1.1. Background

BLM Office: Worland Field Office

Lease/Serial/Case File No.: WYW-165169

Proposed Action Title/Type: Mineral Materials Free Use Permit

Location of Proposed Action:

6th Principal Meridian, Big Horn County, Wyoming

T. 52 N., R. 93 W., Sec. 1, Lot 2

Description of Proposed Action:

The Bureau of Land Management-Worland Field Office (WFO) has applied for a Free Use Permit pursuant to 43 CFR 3601.3, to develop sand and gravel deposits on BLM managed federal land east of Greybull, Wyoming for use in BLM road maintenance projects in the Greybull, Shell, and Red Gulch areas. The permit would allow the WFO to produce up to 50,000 cubic yards of mineral materials over a 10 year period with a total disturbance over the life of the project not to exceed 5 acres. The proposed project area is suitable for production of aggregate, based upon the history of aggregate production on the location, and on ground examination of the site.

The WFO has submitted an application for a free use permit with a proposed project area, detailed mining and reclamation plan and map. The proposed permit area for the project is 4.97 acres, of which the maximum disturbance, and area suitable for mining is 4.03 acres (the gravel terrace deposits).

WFO is proposing to develop a gravel pit up to 4.03 acres of disturbance with a depth equal to that of the gravel deposit or 8ft maximum depth to produce aggregate from gravel deposits at the location. No more than 5 acres may be disturbed including pits, stockpiles, berms, and any exclusive access routes. The material site would be open for up to 10 years, although production would be seasonal and on an as needed basis for area projects, with the site in a stabilized interim management state much of the time.

1.2. Land Use Plan Conformance

Land Use Plan Name: Worland Field Office RMP

Date Approved: September 21, 2015

This plan has been reviewed to determine if the proposed action conforms to the land use plan as required by 43 CFR 1610.5. The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Worland Field Office, dated September 21, 2015. The decisions in the Worland Resource Management Plan (WRMP) provide general management direction and allocation of uses and resources on the public lands in the area.

WRMP/ROD record number

Record 2027 --Existing BLM-approved mineral material sites are open to mineral materials disposal. New mineral materials disposal sites in areas open to mineral materials disposal

are subject to site-specific analysis prior to approval. Ensure that each community pit has an updated site-specific reclamation fee based on a current mining and reclamation plan. Ensure that reclamation occurs in mined-out areas of community pits.

Record 2028 -- Dispose of mineral materials on a case-by-case basis, subject to site-specific analysis and appropriate mitigation prior to approval, in areas open to mineral materials disposal.

1.3. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, F.10. "Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas."

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply.

I considered: The goals and objectives of saleable mineral materials within the project area, the presence and use of the gravel, the benefits to the community of making this material available, and the use of existing pits and declining the permit action.

1.4. Approval and Contact Information

/s/ Michael J. Phillips	April 8, 2016
Worland Field Office Manager	Date

Contact Person

For additional information concerning this CX review, contact Joeseeph Scyphers.

Attachments

Extraordinary Circumstances Review

Chapter 2. Categorical Exclusion Rationale

This page intentionally
left blank

Extraordinary Circumstances			
1. Have significant impacts on public health or safety?			
Yes	No	Resource	Rationale
	X	Wastes (Solid or Hazardous)	Hazardous substances including fuels and lubricants for machinery and solid wastes will be contained, and do not pose any risk.
	X	Public Health or Safety	All relevant OSHA and MSHA regulations will be adhered to concerning open pit mining operations and highwalls. All highwalls will be bermed or fenced to prevent access and falling hazards, and all highwalls will be backsloped to a maximum 3:1 slope when the pit is not in active production.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?			
Yes	No	Resource	Rationale
	X	Sole or principal drinking water aquifers	Not Present in the project area.
	X	Prime farmlands	None present in WFO
	X	Wetlands	There are no wetlands present within or adjacent to the pit areas.
	X	Floodplains	There are no floodplains present within or adjacent to the pit areas.
	X	National monuments	None present in WFO
	X	Migratory birds	There are no unique or significant migratory bird habitats within the proposed project area.
	X	National Natural landmarks	None present in WFO
	X	Wild/Scenic Rivers	Not Present in the project area.
	X	Wilderness Areas	Not Present in the project area.
	X	Park/recreation/refuge lands	Not Present in the project area.
	X	Historic or Cultural resources	No historic properties are located within the project area.
	X	Other ecologically significant or critical areas (Wild Horses/HMA, LWCs, etc.)	Not Present in the project area.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)]?			
Yes	No	Resource	Rationale
	X	Geology	The proposed action is not considered highly controversial; the project is located in an area of past gravel pit development.
	X	Vegetation	The disturbance would not be anticipated as highly controversial as the project area has been previously disturbed, and the small amount of acreage that would be disturbed would also be reclaimed.
	X	Soils	The disturbance to the soil resource is not highly controversial, and is a common practice in the area.
	X	Hydrology	There will be no highly controversial environmental effects or unresolved conflicts to the hydrologic resources. The gravel pit would not directly impact any drainages and would be designed to prevent any impoundments or offsite sedimentation and would be reclaimed to match surrounding topography.
	X	Recreation	This project will not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of recreation resources.
	X	Visual Resources	This project will not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of visual resources.
	X	Wildlife	There are no controversial environmental effects or unresolved conflicts concerning impacts to wildlife from this proposed project.
	X	Lands/Access	No effects are anticipated as no additional access is necessary as the project would be accessed directly from existing County Road 30 1/2.

	X	Travel Management	This project will not have highly controversial environmental effects no involve unresolved conflicts concerning alternative uses of available resources on travel management.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?			
Yes	No	Resource	Rationale
	X	Geology	No uncertain or unique environmental effects are associated with the proposed action. A mineral material pit, and gravel production has previously been located at the site.
	X	Vegetation	The action of topsoil stripping and aggregate production doesn't yield highly significant or uncertain environmental risks to the vegetative community as proposed.
	X	Soils	The test pits are not highly uncertain and no potentially significant or unique effects to soil resources as a result. The project is a common practice in an established area.
	X	Hydrology	The test pits are not highly uncertain and no potentially significant or unique effects to water resources as a result. The project is a common practice in an established area.
	X	Recreation	This project will not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks concerning recreational resources.
	X	Visual Resources	The project will not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks concerning visual resources.
	X	Wildlife	There are no uncertain and potentially significant environmental effects concerning impacts to wildlife from this proposed project.
	X	Lands/Access	No uncertain or unique environmental effects are associated with the proposed action.
	X	Travel Management	No uncertain and unique environmental effects nor unique/unknown environmental effects are anticipated.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects?			
Yes	No	Resource	Rationale:
	X	Geology	This aggregate project does not set a precedent for future actions or represent a decision in principal about future actions with significant environmental effects. Additional authorizations and NEPA analysis would be required for further development or expansion in the future.
	X	Vegetation	The action of digging test pits doesn't require additional NEPA. However dependent upon findings, may prompt a request for future action to permit development of a gravel pit which would require additional NEPA.
	X	Soils	The exploration project and test pits would not set a precedent for future actions or represent a decision in principal about future actions with significant environmental effects regarding soil resources in the area.
	X	Hydrology	The exploration project and test pits would not set a precedent for future actions or represent a decision in principal about future actions with significant environmental effects regarding water resources or runoff in the watershed.
	X	Recreation	This project will not establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects concerning recreational resources.
	X	Visual Resources	This project will not establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects concerning visual resources.
	X	Wildlife	Authorization of this proposal will not be precedent setting or represent a decision in principal concerning impacts to wildlife.
	X	Lands/Access	The proposed action does not set a precedent for future lands actions.

	X	Travel Management	The proposed action does not set a precedent for future lands action. However, if "cross country" access is necessary, clearing vegetation or grading a roadbed will be avoided whenever practicable.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?			
Yes	No	Resource	Rationale
	X	Geology	The gravel pit is independent of any other activities in the area. Any future development or expansion would require additional NEPA analysis.
	X	Vegetation	The test pits as proposed would not have an impact and therefore would not prompt a cumulative impact analysis.
	X	Soils	The test pits are independent of other activities in the area regarding soil resources.
	X	Hydrology	The test pits are independent of other activities in the area regarding watershed disturbances.
	X	Recreation	This project will not have a direct relationship to other actions with cumulatively significant environmental effects concerning recreational resources.
	X	Visual Resources	This project will not have a direct relationship to other actions with cumulatively significant environmental effects concerning visual resources.
	X	Wildlife	There are no known additional effects that cumulatively with the authorization of this proposed project will result in significant impacts to wildlife.
	X	Lands/Access	No concerns of cumulative impacts with this project.
	X	Travel Management	With cross-country access, clearing vegetation or grading a roadbed should be avoided whenever practicable in order to minimize off-highway use and access by other users.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau?			
Yes	No	A class III cultural inventory was completed (BLM cultural project #010-2015-085). No historic properties were identified. Consultation occurred with SHPO per the Wyoming State Protocol Agreement between the BLM and the SHPO.	
	X		
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?			
Yes	No	Resource	Rationale
	X	Wildlife	There are no species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or designated Critical Habitat habitats within the proposed project area.
	X	Plants	There are no Threatened or Endangered plant species or BLM sensitive plant species known to exist in the project area. No consultation, conformance, or concurrence from the U.S. Fish and Wildlife Service is required.
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment?			
Yes	No	Resource	Rationale
	X	Geology	The proposed action will not violate any Federal law State, local or tribal law concerning the protection of the environment or geologic or mineral resources.
	X	Vegetation	The proposed action will not violate a Federal, State, local or tribal law concerning the protection of vegetative resources.
	X	Soils	The action will not violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment regarding soil resources.
	X	Hydrology	The action will not violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment regarding water resources.

	X	Recreation	This project will not violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment concerning recreational resources.
	X	Visual Resources	This project will not violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment concerning visual resources.
	X	Wildlife	There are no known wildlife related laws that will be violated with the authorization of this application.
	X	Lands/Access	No Lands laws or regulations will be violated by the proposed action.
	X	Travel Management	No travel management laws will be violated by the proposed action.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?			
Yes	No		
	X	No low income or minority populations would be adversely affected by the proposed action.	
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?			
Yes	No		
	X	No sacred sites or site types of interest, based on previous consultation, were identified.	
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?			
Yes	No		
	X	Appropriate best management practices and mitigation measures including: the washing of equipment from outside the area or that have come in contact with noxious weeds, and reclamation plan incorporated in the proposed action will prevent the introduction, continued existence, or spread of noxious weeds, or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.	